IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24109 of 2008
SUKHADI SINGH @ BALESHWAR SINGH
Versus
THE STATE OF BIHAR

03/ 03.09.2008 Heard.

Sukhadi Singh @ Baleshwar Singh is alleged to have lifted the boy for committing unnatural offence and on being resisted, is alleging firstly to have dealt a blow, which hit him on his little finger, but there is no injury on that part of the body. The further allegation is that the petitioner put the boy on ground and attempted to cut his throat by chhura. The doctor found only one injury measuring 1 ½"x 1/2" x subcutaneous deep, which was simple but may be dangerous to life caused by sharp edged weapon.

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The contention is that the injury could not be dangerous and if at all it could, it could not be simple simultaneously. The further contention is that the petitioner is in custody since last seven months.

After having considered the facts of the case and its gravity, I am not inclined to direct the release of the present petitioner on bail at the present stage. Petition is dismissed.

However, the trial court or may the C.J.M. Motihari

will direct the release of the petitioner on bail on execution of proper bond to his own satisfaction on completion of One year and six months of the custody of the petitioner in Sangrampur P.S. Case No. 11 of 2008, if the trial is not concluded within that period.

DKS/ **(Dharnidhar Jha, J)**

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